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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

TECH CENTER 1600/2900

Applicant(s): Walke *et al.* Group Art Unit: 1652
Application No.: 09/818,990 Examiner: S. Swope
Filed: 3/27/2001 Atty. Docket No.: LEX-0152-USA
Title: Novel Human Proteins and Polynucleotides
Encoding the Same

**AMENDMENT AND RESPONSE TO RESTRICTION AND ELECTION
REQUIREMENTS DATED OCTOBER 2, 2002**

Commissioner for Patents
Arlington, VA 22202

Sir:

The Examiner is respectfully requested to enter the following amendments. A response to the Restriction and Election Requirement dated October 2, 2002 (Paper No. 16, hereafter "the Requirement") is also included herewith, and the Examiner is respectfully requested to consider the remarks therein.

The response is due on November 2, 2002, which falls on a Saturday and is therefore extended until Monday, November 4, 2002 under 37 C.F.R. § 1.7. The response is thus timely filed, and Applicants believe no fees in addition to the fee due under 37 C.F.R. § 1.17(i) (see Section V below) are due in connection with this response. However, the Commissioner is authorized to charge any additionally required fees or credit any overpayment to Deposit Account No. 50-0892.

AMENDMENT

In the claims:

Please cancel claims 4 and 5, entirely without prejudice and without disclaimer, as drawn to a non-elected invention.

Please amend claim 2 so that the text of the amended claim reads as follows:

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